

Message Text

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ORIGIN IO-13

INFO OCT-01 ISO-00 SS-15 SSO-00 CCO-00 AF-08 /037 R

DRAFTED BY IO/UNP:JFTEFFT;IO/SCT:LCAVANAUGH;AF/S:FBCRUMP:LL
APPROVED BY IO:SLEWIS
S/S :O-AWOTTO
AF:TSEELYE
S:HDCOLLUMS

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O 140147Z SEP 76 ZFF4
FM SECSTATE WASHDC
TO USDEL SECRETARY IMMEDIATE

C O N F I D E N T I A L STATE 226578 TOSEC 270044

E.O. 11652:GDS

TAGS:PFOR, IAEA

SUBJECT:ACTION MEMORANDUM: SOUTH AFRICA AND THE IAEA
(S/S NO. 7619302)
PLEASE PASS LORD
TO THE SECRETARY FROM IO-LEWIS AND AF-SEELYE, ACTING

1. THE PROBLEM:

THE AFRICAN NATIONS ATTENDING THE IAEA GENERAL CONFERENCE AND ASSOCIATED BOARD OF GOVERNORS MEETINGS IN RIO DE JANEIRO FROM SEPTEMBER 14-29 MAY TAKE SOME ACTION AGAINST SOUTH AFRICA BASED ON THE MISTAKEN THEORY THAT THIS COULD BLOCK THE FRENCH NUCLEAR REACTOR SALE TO SOUTH AFRICA. POSSIBLE ACTIONS INCLUDE ATTEMPTS TO HAVE SOUTH AFRICA EXPELLED OR SUSPENDED FROM THE ORGANIZATION OR A CHALLENGE TO THE SAG CREDENTIALS TO THE GENERAL CONFERENCE OR THE BOARD OF GOVERNORS. DUE TO THE IMMINENCE OF THE MEETING, WE NEED TO TAKE PROMPT ACTION. WE HAVE ALREADY APPROACHED THE BRITISH AND FRENCH ON THIS MATTER AND MUST NOW DECIDE WHETHER TO EXPAND OUR APPROACHES TO OTHERS.

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2. THE BACKGROUND:

ON AUGUST 27 YOU WROTE TO UK FOREIGN SECRETARY CROSLAND TO EMPHASIZE OUR CONCERN AT THE POSSIBLE AFRICAN EFFORT TO

SUSPEND OR EXPEL SOUTH AFRICA OR DENY SOUTH AFRICAN CREDENTIALS TO THE UPCOMING IAEA GENERAL CONFERENCE AND BOARD OF GOVERNORS MEETINGS. IN RESPONSE, CROSLAND AGREED OUR TWO GOVERNMENTS SHOULD JOIN IN LOBBYING AGAINST SUCH A MOVE AND PROPOSED THAT WE AGREE ON A DIVISION OF RESPONSIBILITY. THE BRITISH INITIALLY UNDERTOOK TO SPEAK TO THE EC-9 IN VIENNA AND WILL ALSO APPROACH THE CANADIANS AND AUSTRALIANS. OUR MISSION TO THE IAEA HAS ALREADY DISCUSSED THE ISSUE WITH A LARGE NUMBER OF DELEGATIONS. (THE FRENCH ARE TAKING A VERY LOW POSTURE IN VIEW OF THE UNPOPULARITY OF THEIR REACTOR SALE TO SOUTH AFRICA.)

ON SEPTEMBER 9 AND 10, WE HELD MEETINGS WITH NIGERIA'S PRMREP LESLIE HARRIMAN, WHO, AS CHAIRMAN OF THE UN APARTHEID COMMITTEE, WAS THE ORIGINATOR OF THE SOUTH AFRICAN EXPULSION IDEA. HE SAID THAT AFRICANS WERE PRIMARILY CONCERNED TO TRY TO BLOCK THE SALE OF FRENCH REACTORS TO SOUTH AFRICA AND HAD NOT DECIDED TO SEEK THE EXPULSION OF SOUTH AFRICA FROM THE IAEA. (HARRIMAN WAS UNDER THE MISTAKEN IMPRESSION THAT BY BLOCKING IAEA SAFEGUARDS THE AFRICANS COULD PREVENT THE FRENCH SALE, NOT REALIZING THAT THE FRENCH WOULD ALMOST CERTAINLY GO AHEAD WITH THEIR OWN SAFEGUARDS, IF NECESSARY, TO COMPLETE THE SALE.) HARRIMAN SAID THAT THE AFRICANS WILL TRY TO HAVE SOUTH AFRICA REMOVED FROM ITS "DESIGNATED SEAT" ON THE IAEA BOARD OF GOVERNORS WHICH IT OCCUPIES AS THE "MOST ADVANCED" AFRICAN NATION IN THE NUCLEAR FIELD. SUCH A MOVE WOULD BE ILLEGAL SINCE SAG WAS DESIGNATED TO THIS SEAT FOR A YEAR BY THE IAEA BOARD OF GOVERNORS IN JUNE AND THERE IS NO PROVISION FOR REVERSAL.

ALTHOUGH HARRIMAN'S DISAVOWAL OF AN EXPULSION EFFORT IS ENCOURAGING, WE BELIEVE THE DANGER OF SOME MOVE AGAINST SOUTH AFRICA IS GREAT ENOUGH TO JUSTIFY OUR PRESSING AHEAD WITH LOW KEY DEMARCHES IN CERTAIN IAEA CAPITALS. WE BELIEVE THOUGH THAT A WORLD-WIDE EFFORT MIGHT BE COUNTER-PRODUCTIVE AT THIS TIME, A POINT OF VIEW THE BRITISH SHARE. WE MIGHT NOT HAVE TO FACE AN EXPULSION/SUSPENSION
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EFFORT, BUT WE SHOULD BE PREPARED FOR THAT EVENTUALITY. EVEN IF AFRICANS DO NO MORE THAN MOUNT AN EFFORT TO DEPRIVE SOUTH AFRICA OF ITS DESIGNATED SEAT ON THE BOARD OF GOVERNORS, WE SHOULD LET FRIENDLY STATES KNOW OUR POSITION.

IN ORDER TO MAKE OUR VIEWS ON THIS ISSUE KNOWN WITHOUT STIMULATING A LARGER MOVEMENT TO OUST THE SOUTH AFRICANS, WE PROPOSE TO HAVE OUR EMBASSIES IN CAPITALS OF INCOMING AND OUTGOING IAEA BOARD OF GOVERNORS AND OTHER SELECTED BOARD MEMBERS PRESENT LOW KEY DEMARCHES TO THEIR HOST GOVERNMENTS. THE ATTACHED CABLE CONTAINS TALKING POINTS FOR

EACH AMBASSADOR'S USE. WE WOULD ALSO SEND THE CABLE FOR INFORMATION TO ALL IAEA CAPITALS AS BACKGROUND FOR RESPONSES TO HOST GOVERNMENT INQUIRIES. AMBASSADOR TAPE, OUR PERMANENT REPRESENTATIVE TO THE IAEA, CONCURS IN THIS SELECTIVE APPROACH.

IN ORDER TO BE EFFECTIVE, THESE DEMARCHES WOULD BE REQUIRED IN THE WEEK OF SEPTEMBER 13TH.

3. RECOMMENDATION:

THAT YOU APPROVE THE ATTACHED CABLE OF INSTRUCTIONS AUTHORIZING APPROACHES TO CAPITALS.

APPROVE:

DISAPPROVE:

4. DRAFTED BY: IO/UNP: JFTEFFT; IO/SCT: LCAVANAUGH; AF/S: FBCRUMP; APPROVED BY: IO-MR. LEWIS. AF-TWSEELYE
S/S: S:

5. PROPOSED TELEGRAM:

ACTION BANGKOK IMMEDIATE, BERN IMMEDIATE, BOGOTA IMMEDIATE, BUENOS AIRES IMMEDIATE, BRASILIA IMMEDIATE, CANBERRA IMMEDIATE, CARACAS IMMEDIATE, DACCA IMMEDIATE, DAKAR IMMEDIATE, JAKARTA IMMEDIATE, LAGOS IMMEDIATE, LUSAKA IMMEDIATE, MANILA IMMEDIATE, KINSHASA IMMEDIATE, MEXICO CITY IMMEDIATE, MONTEVIDEO IMMEDIATE, NIAMEY
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IMMEDIATE, OTTAWA IMMEDIATE, PANAMA IMMEDIATE, SANTIAGO IMMEDIATE, STOCKHOLM IMMEDIATE, TOKYO IMMEDIATE

INFO ALL 77 OTHER IAEA MEMBER POSTS

EO 11652 N/A

TAGS PFOR, IAEA, SA

SUBJECT IAEA 20TH GENERAL CONFERENCE: RIO DE JANEIRO SEPTEMBER 21-29, 1976: POSSIBLE ACTIONS AGAINST SOUTH AFRICA

RIO FOR USDEL IAEA

1. WE HAVE RECEIVED INFORMATION THAT AN EFFORT MAY BE MOUNTED AT THE FORTHCOMING MEETING OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA) IN RIO (SEPTEMBER 21-29) TO TAKE SOME ACTION AGAINST SOUTH AFRICA. ORIGINALLY IT SEEMED THAT THE LIKELY ACTION WAS A MOVE TO EXPEL OR SUSPEND SOUTH

AFRICA FROM MEMBERSHIP IN THE IAEA OR TO CHALLENGE THE CREDENTIALS OF ITS DELEGATION TO THE BOARD OF GOVERNORS MEETINGS (SEPTEMBER 17-18 AND 28-29) SCHEDULED BEFORE AND FOLLOWING THE GENERAL CONFERENCE OR AT THE CONFERENCE. MORE RECENT INDICATIONS ARE THAT THE ACTIONS MAY INSTEAD TAKE THE FORM OF AN ATTEMPT TO REMOVE SOUTH AFRICA FROM ITS DESIGNATED SEAT ON THE IAEA BOARD OF GOVERNORS WHICH IT OCCUPIES BY VIRTUE OF BEING THE NATION IN AFRICA "MOST ADVANCED" IN THE TECHNOLOGY OF ATOMIC ENERGY. THE PRINCIPAL MOTIVE ON THE PART OF THE AFRICANS IS TO BLOCK THE SALE OF THE FRENCH REACTORS TO SOUTH AFRICA. HOWEVER, EVEN IF IAEA SAFEGUARDS ARE NOT PLACED ON THE FRENCH REACTORS THE FRENCH WILL PROBABLY IMPOSE THEIR OWN SAFEGUARDS AND CONTINUE WITH THE SALE.

2. THE U.S. VIEWS WITH DEEP CONCERN THE POSSIBILITY OF SOUTH AFRICA BEING EXPELLED OR SUSPENDED FROM THE CONFIDENTIAL

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IAEA OR HAVING ITS CREDENTIALS REJECTED BY THE GENERAL CONFERENCE OR BOARD OF GOVERNORS. OUR CONCERN RELATES TO THE LIKELY ADVERSE IMPACT ON OUR GOALS CONCERNING THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE MAINTENANCE OF EFFECTIVE SAFEGUARDS.

3. OUR CONCERN ALSO RELATES TO BROADER CONSIDERATIONS. CONFRONTATIONS BETWEEN BLACK AFRICAN NATIONS AND SOUTH AFRICA IN PUBLIC FORA RISK A NEGATIVE IMPACT ON PROSPECTS FOR PROGRESS IN SOUTHERN AFRICA. WE BELIEVE MOST GOVERNMENTS WILL SHARE WITH US THE OBJECTIVE OF AVOIDING COMPLICATIONS IN CONNECTION WITH DELICATE NEGOTIATIONS WHICH THE SECRETARY IS NOW PURSUING.

4. THE U.S. HAS URGED SAG TO RATIFY THE NON-PROLIFERATION TREATY IN ORDER TO BRING ALL OF SAG NUCLEAR FACILITIES UNDER INTERNATIONAL (IAEA) SAFEGUARDS. WE BELIEVE THESE STEPS TO BE VITAL IN ORDER TO ENSURE THAT THESE FACILITIES, WHICH INCORPORATE WEAPON-MAKING POTENTIAL, ARE NOT UTILIZED FOR NON-PEACEFUL PURPOSES. DESPITE OUR EFFORTS, SOUTH AFRICA HAS NOT YET RATIFIED THE NPT. WE BELIEVE THAT EXPULSION OR SUSPENSION OF SAG'S IAEA MEMBERSHIP WOULD BE A SERIOUS, PERHAPS EVEN FATAL, OBSTACLE TO ITS RATIFICATION OF THE NPT. IT WOULD ALSO PROBABLY PREVENT SAG FROM CARRYING THROUGH ON ITS RECENT NOTIFICATION TO THE IAEA OF WILLINGNESS TO HAVE IAEA SAFEGUARDS APPLIED, UNDER A UNILATERAL

AGREEMENT, TO A COMMERCIAL ENRICHMENT PLANT WHICH IS

TO BE ERECTED IN SOUTH AFRICA. IN SHORT, SUSPENSION OR EXPULSION WOULD PROBABLY PRECLUDE REALIZATION OF OUR HOPES FOR HAVING SOUTH AFRICA ADHERE TO THE NPT AND PLACE ALL SOUTH AFRICAN NUCLEAR FACILITIES PLACED UNDER IAEA SAFEGUARD.

5. WE CAN DISCERN NO LEGAL GROUNDS UPON WHICH A MOVE TO SUSPEND OR EXPEL SOUTH AFRICA CAN BE BASED. SOUTH AFRICA HAS BEEN AN ACTIVE AND CONSTRUCTIVE MEMBER OF THE IAEA. IT HAS NOT VIOLATED THE PROVISIONS OF THE CONFIDENTIAL

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IAEA STATUTE OR OF ANY AGREEMENT ENTERED INTO PURSUANT TO THE STATUTE, WHICH CONSTITUTE THE ONLY LEGAL GROUNDS UPON WHICH A COUNTRY CAN BE SUSPENDED FROM MEMBERSHIP IN THE AGENCY. ILLEGAL SUSPENSION OR EXPULSION WOULD WEAKEN THE CONSTITUTIONAL STRUCTURE OF AN INSTITUTION CRUCIAL TO THE WORLD COMMUNITY'S NON-PROLIFERATION GOALS. PUBLIC RECOGNITION OF THE POLITICIZATION OF THIS TECHNICAL AGENCY WOULD ALSO PROBABLY IMPAIR THE AGENCY'S CREDIBILITY IN PERFORMING ITS SAFEGUARDS FUNCTION. FOR THESE REASONS WE WOULD STRONGLY OPPOSE ANY SUSPENSION OR EXPULSION EFFORT OR ANY POLITICALLY MOTIVATED REJECTIONS OF CREDENTIALS.

6. SHOULD THE ACTION AGAINST SAG TAKE THE FORM OF AN ATTACK UPON ITS MEMBERSHIP ON THE BOARD OF GOVERNORS, THE U.S. POSITION WOULD BE AS FOLLOWS. WE WOULD SUPPORT SOUTH AFRICA, ON GROUNDS THAT THE TERMS OF THE IAEA STATUTE ARTICLE 6, PROVIDING FOR THE DESIGNATION AS A BOARD MEMBER OF "THE MEMBER MOST ADVANCED IN THE TECHNOLOGY OF ATOMIC ENERGY INCLUDING THE PRODUCTION OF SOURCE MATERIALS" SHOULD BE COMPLIED WITH, AND IN THE ABSENCE OF A CHALLENGE SUPPORTED BY OBJECTIVE DATA TO THE CONTRARY, SOUTH AFRICA IS THE BEST QUALIFIED STATE IN AFRICA TO MEET THIS CRITERIA.

7. IN OPPOSING THESE ATTACKS UPON SOUTH AFRICA, WE WISH IT UNDERSTOOD THAT WE HAVE NOT LESSENED OUR LONG-STANDING ABHORENCE OF THE INTERNAL RACIAL POLICIES OF THE SOUTH AFRICAN GOVERNMENT. THE U.S. GOVERNMENT HAS REPEATEDLY WARNED THE SOUTH AFRICAN GOVERNMENT THAT TIME IS GROWING SHORT FOR THE REALIZATION OF A PEACEFUL END TO INSTITUTIONALIZED INEQUALITY IN SOUTH AFRICA AND HAS URGED THE SOUTH AFRICAN GOVERNMENT TO WORK FORCEFULLY AND ENERGETICALLY FOR THE EARLY REALIZATION OF THIS OBJECTIVE.

ACTIONADDRESSEES ARE REQUESTED TO INFORM HOST GOVERNMENTS OF OUR POSITION AS SOON AS POSSIBLE BEFORE IAEA BOARD MEETING AND SEEK THEIR UNDERSTANDING AND SUPPORT.

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9. INFORMATION ADDRESSEES ARE AUTHORIZED TO DRAW UPON THIS INFORMATION AS BACKGROUND SHOULD ANY QUESTIONS ON THE SUBJECT ARISE.

10. AFRICAN CAPITALS SHOULD EMPHASIZE THAT IAEA SAFEGUARDS PERFORM A SECURITY FUNCTION, PRECLUDING A COUNTRY WHOSE NUCLEAR FACILITIES ARE UNDER THEIR JURISDICTION FROM DIVERTING NUCLEAR MATERIAL FROM PEACEFUL PURPOSES WITHOUT DETECTION. EXPELLING SAG AND REMOVING IAEA SAFEGUARDS COULD THUS PROVE DIRECTLY COUNTER-PRODUCTIVE TO VITAL AFRICAN INTERESTS.

11. FOR LONDON: YOU MAY INFORM HMG OF ACTION WE ARE TAKING, GIVING THEM GIST OF TALKING POINTS WHICH THEY MAY DRAW ON IN PARALLEL APPROACHES THEY ARE MAKING TO EC-9, CANADA AND AUSTRALIA.

12. FOR PARIS: PLEASE INFORM FRENCH GOVERNMENT OF ACTION WE ARE TAKING.

DRAFTED BY: IO/UNP:JFTEFFT; IO/SCT:LCAVANAUGH; AF/S:FBCRUMP
APPROVED BY: IO:S.LEWIS

CLEARANCES: L/UNA:DSTEWART(DRAFT);
AF:TWSEELYE ; S:HDCOLLUMS S/

ROBINSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 16 SEP 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TOSEC, LOBBYING, EXPULSION
Control Number: S7619302
Copy: SINGLE
Draft Date: 14 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE226578
Document Source: ADS
Document Unique ID: 00
Drafter: IO/UNP:JFTEFFT;IO/SCT:LCAVANAUGH;AF/S:FBCRUMP:LL
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Film Number: D760345-0832
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t197609108/baaaeqax.tel
Line Count: 305
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 17 NOV 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 NOV 2003 by GarlanWA>; APPROVED <10 AUG 2004 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MEMORANDUM: SOUTH AFRICA AND THE IAEA
TAGS: PFOR, PORG, XA, SF, IAEA
To: SECRETARY
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006